

CS FOR HOUSE CONCURRENT RESOLUTION NO. 24(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 2/11/94

Referred: Rules

Sponsor(s): REPRESENTATIVES BARNES, Phillips, Hudson, Green

A RESOLUTION

1 **Supporting the governor's decision to authorize a suit against the United States**
2 **government for violating the Alaska Statehood Act and the Alaska Statehood**
3 **Compact.**

4 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 **WHEREAS**, when the Territory of Alaska became a state, its citizens ratified a
6 compact with the federal government known as the Alaska Statehood Compact, which is
7 embodied in the Alaska Statehood Act that was passed by the Congress; and

8 **WHEREAS** compacts such as the Alaska Statehood Act are properly viewed as
9 contracts between sovereigns that may not be unilaterally altered by either party; and

10 **WHEREAS** the principle that the controlling terms of statehood acts may not be
11 altered unilaterally has been consistently upheld by the United States Supreme Court in
12 *Cooper v. Roberts*, 59 U.S. (18 How.) 173 (1855); *Beecher v. Wetherby*, 95 U.S. (5 Otto) 517
13 (1877); and *Stearns v. Minnesota ex. rel. Marr*, 179 U.S. 223 (1900); and

14 **WHEREAS** there are sufficient grounds for believing that the federal government has
15 violated this principle by unilaterally altering or attempting to alter important terms of the
16 Alaska Statehood Act and the Alaska Statehood Compact;

1 **BE IT RESOLVED** that the Alaska State Legislature strongly supports the decision
2 of the governor to authorize suit against the United States government for violating the Alaska
3 Statehood Act and the Alaska Statehood Compact.